



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,777	07/31/2001	Christopher Uhlik	15685P098	4003

8791 7590 06/17/2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

NGUYEN, THU HA T

ART UNIT PAPER NUMBER

2155

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/919,777

Applicant(s)

UHLIK ET AL.

Examiner

Thu Ha T. Nguyen

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) 25-31 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims **1-31** are presented for examination.
2. Claims 25-31 are newly added.

Response to Arguments

3. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Election/Restrictions

4. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-24, drawn to a system and method for establishing connection and generating a communication session identifier, classified in **class 709, subclass 227**.
 - II. Claims 25-31, drawn to method for determining connection request and switching from first base station to second base station, classified in **class 455, subclass 436**.

5. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as receiving an establishing connection and generating session identifier between a subscriber and a data network access server, classified in a *different Class/*

Art Unit: 2155

Subclass. And invention II has separate utility such as a method for determining a session identifier, handling over a communication session from a second base station to a first base station ,classified in a *different Class/Subclass*. See MPEP § 806.05(d).

6. Because these inventions are distinct for the reasons given above and the search required for Group I search (claims 1-24) would require use of search **Class 709, subclass 227** (not require for inventions II); Group II search (claims 25-31) would require use of search **Class 455, subclass 436** (not require for the inventions I).

For the reasons given above restriction for examination purposes as indicated is proper.

7. Affirmation of this election must be made by applicant in replying to this Office action.

8. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2155

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-3, and 10 are rejected under 35 U.S.C. §103 (a) as being unpatentable over **Lin et al.** (hereinafter Lin) U.S. Patent No. **6,269,402**, in view of **Ho et al.** (hereinafter Ho) U.S. Publication No. **2002/0116501**.

11. As to claim 1, Lin teaches the invention as claimed, including a method comprising: receiving a request to establish a end-to-end network communication session between a subscriber unit in a wireless communication system and a data network access server through a base station (abstract, figures 1-3, 5, elements 202, 208, 222, col. 3, lines 28-50); and selectively generating a communication session identifier to uniquely identify the communication session from a plurality of communication sessions supported by the network access server to enable a point-to-point communication protocol within a point-to-point communication session between the base station and the network access server (figure 2-3, 5, blocks 304, 306, 506, col. 3, lines 38-col. 4, lines 24).

However, Lin does not explicitly teach an enhanced point-to-point communication protocol.

Ho, in the related art, teaches an enhanced point-to-point communication protocol (paragraphs 0037,0075). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate an enhanced point-to-point communication protocol, as disclosed by Ho, into Lin system

Art Unit: 2155

because it were conventionally employed in the art to provide added functionality that is preserve backward compatibility (see Ho paragraph 0037).

12. As to claim 2, Lin teaches the invention as claimed, further comprising: determining, at the network access server, whether the received request is a request for a new communication session or a handoff of an existing communication session (abstract, figures 3, 6, col. 4, lines 35-61, col. 5, lines 17-67, col. 6, lines 26-38).

13. As to claim 3, Lin teaches the invention as claimed, wherein selectively generating a communication session identifier further comprises generating a communication session identifier if the received request is a request for a new communication session and no communication session identifier is included in the request (figures 3, 6, col. 6, lines 26-47).

14. As to claim 10, it is an article of manufacture claim directed for generating the communication session identifier of method claim 1; therefore, claim 10 is rejected under the same rationale of claim 1.

15. Claim 4 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Lin and Ho**, further in view of **Igarashi et al.** (hereinafter Igarashi) U.S. Publication No. **2001/0053694**.

Art Unit: 2155

16. As to claim 4, Lin-Ho does not explicitly teach the invention as claimed; however, Igarashi teaches wherein determining comprises: analyzing attribute-value pair(s) (AVP) of the received request to identify a callType AVP; and identifying the received request as a request for a new communication session if the callType AVP is absent from the incoming call request, or if an identified callType AVP associated with the received request denotes a new call (paragraph 0104, 0193-0199, 0290). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin, Ho and Igarashi to include the step of determining AVP of the received incoming call whether the request communication session is a new call or not because it would have an efficient communication system that allow to keep track, detect and authorize the call request.

17. Claims 5-9 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Lin, Ho, and Maggenti et al.**, (hereinafter Maggenti) U.S. Pub. No. **2003/0012149**, further in view of **Murphy, Jr. et al.** (hereinafter Murphy, Jr.) U.S. Patent No. **6,006,266**.

18. As to claim 5, Lin teaches the invention as claimed, wherein selectively generating the communication session identifier comprises: composing a deterministic element of the communication session identifier (col. 5, lines 1-16).

Lin-Ho does not explicitly teach the step of composing a random element of the communication session identifier; and employing a mathematical function to generate

the communication session identifier using the deterministic element and the random element.

Maggenti teaches composing a random element of the communication session identifier (paragraphs 0272-0273, 0454-0456).

Murphy, Jr. teaches employing a mathematical function to generate the communication session identifier using the deterministic element and the random element (col. 9, lines 22-col. 10, lines 64). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin, Ho, Maggenti and Murphy, Jr. to include the step of composing a random element of the communication session identifier because it would provide secure communication system between subscriber unit and server.

19. As to claim 6, Lin teaches the invention as claimed, wherein the deterministic element is comprised of one or more of an electronic serial number (ESN) of the accessing subscriber unit, a media access control (MAC) address of the subscriber unit, and/or a telephone number associated with the subscriber unit (col. 5, lines 2-16).

20. As to claim 7, Lin-Ho-Murphy, Jr. does not explicitly teaches the invention as claimed; however, Maggenti teaches wherein the random element is comprised of one or more of a pseudo-random number, and/or a true random number generated from radio frequency (RF) energy of thermal noise associated with the communication

session (paragraphs 0272-0273, 0454-0456, 0461-0473). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin-Ho, Maggenti and Murphy, Jr. to include the step of composing a random element of the communication session identifier because it would provide secure communication system between subscriber unit and server.

21. As to claim 8, Murphy, Jr. teaches the invention as claimed, wherein the mathematical function employed concatenates the deterministic element and the random element to generate the communication session identifier (col. 9, lines 22-col. 10, lines 64). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin, Ho, Maggenti and Murphy, Jr. to employed concatenates the deterministic element and the random element to generate the communication session identifier because it would provide secure communication system between subscriber unit and server.

22. As to claim 9, Murphy, Jr. teaches the invention as claimed, wherein the mathematical function employed generates a hash of the deterministic element and the random element to generate the communication session identifier (col. 9, lines 22-col. 10, lines 64, coll. 12, lines 58-col. 13, lines 5). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin, Ho, Maggenti and Murphy, Jr. to include the step of

Art Unit: 2155

composing a random element of the communication session identifier because it would provide secure communication system between subscriber unit and server.

23. Claims 11-13, 16-18, 20-21, and 23-24 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Lin and Ho**, further in view of **Maggenti et al.** (hereinafter Maggenti) U.S. Publication No. **2003/0012149**.

24. As to claim 11, Lin teaches the invention as claimed, including an apparatus comprising: a network interface, to receive a request for an end-to-end network communication session between a wireless communication system subscriber unit and the apparatus through a base station (abstract, figures 1-3, 5, elements 202, 208, 222, col. 3, lines 28-50). Lin teaches a base station (208) receives a request communication session establishes from a client (202) and sends the request to server (222) ((see figure 2)(It would have been obvious to one of ordinary skill in the art that the client (202), base station (208), and server (222) have to have an interface in order to receive the request and response)); and selectively generate a communication session identifier to uniquely identify the network communication session from a plurality of communication sessions supported by the apparatus to enable a point-to-point communication protocol within a point-to-point communication session between the base station and the network access server (figure 2-3, 5, blocks 304, 306, 506, col. 3, lines 38-col. 4, lines 24).

However, Lin does not explicitly teach an enhanced point-to-point communication protocol a communications agent.

Ho, in the related art, teaches an enhanced point-to-point communication protocol (paragraphs 0037,0075). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate an enhanced point-to-point communication protocol, as disclosed by Ho, into Lin system because it were conventionally employed in the art to provide added functionality that is preserve backward compatibility (see Ho paragraph 0037).

Lin does not explicitly teach a communications agent; however, Lin teaches the server generates the session identifier (col. 3, lines 40-50). It would have been obvious to one of ordinary skill in the art that Lin implicitly teaches a communication agent or hardware/software function to generate the communication session identifier because it would allow server has a capability to generate session identifier. However, in order to support the teaching obviousness of a communication agent in Lin, Maggenti teaches a communication agent (figures 3, 6, elements 218, 600, paragraphs 0092-0095, 0114-0119). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin and Maggenti to include a communication agent because it would provide a security communication system between subscriber unit and server.

25. As to claim 12, Lin teaches the invention as claimed, wherein the communications agent determines whether the received request is a request for a new

Art Unit: 2155

communication session or a handoff of an existing communication session (abstract, figures 3, 6, col. 4, lines 35-61, col. 5, lines 17-67, col. 6, lines 26-38).

26. As to claim 13, Lin teaches the invention as claimed, wherein the communications agent comprises: a session identification generator, selectively invoked by the communications agent, to dynamically generate a communication session identifier including at least a deterministic element and a random element (figure 2-3, 5, blocks 304, 306, 506, col. 3, lines 38-col. 4, lines 24). Lin does not explicitly teach a communications agent; however, Lin teaches the server generates the session identifier (col. 3, lines 40-50). It would have been obvious to one of ordinary skill in the art that Lin implicitly teaches a session identification generator invoked by a communication agent or hardware/software function to generate communication session identifier because it would allow server has a capability to generate session identifier. However, in order to support the teaching obviousness of a communication agent in Lin, Maggenti teaches a communication agent (figures 3, 6, elements 218, 600, paragraphs 0092-0095, 0114-0119). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin, Ho and Maggenti to include a communication agent because it would provide a security communication system between subscriber unit and server.

27. As to claim 16, Lin teaches the invention as claimed, wherein the session identification generator composes the deterministic element using one or more of an

Art Unit: 2155

electronic serial number (ESN) of the accessing subscriber unit, a media access control (MAC) address of the subscriber unit, and/or a telephone number of the subscriber unit (col. 5, lines 2-16).

28. As to claim 17, Lin-Ho does not explicitly teach the invention as claimed, Maggenti teaches wherein the session identification generator composes the random element of the session identifier utilizing a pseudo-random number generator (paragraphs 0272-0273, 0454-0456, 0461-0473). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin, Maggenti and Ho to include the step of composing a random element of the communication session identifier because it would provide secure communication system between subscriber unit and server.

29. As to claim 18, Lin-Ho does not explicitly teach the invention as claimed, Maggenti teaches wherein the session identification generator composes the random element of the session identifier by generating a true random number from radio frequency (RF) thermal noise (paragraphs 0272-0273, 0454-0456, 0461-0473). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin, Ho and Maggenti to include the step of composing a random element of the communication session identifier because it would provide secure communication system between subscriber unit and server.

30. As to claim 20, Lin teaches the invention as claimed, including a machine accessible medium having stored therein a plurality of executable instructions which, when executed by an accessing machine, implement a communications agent to receive a request from a wireless communication system subscriber unit through a base station for a point-to-point communication session with the accessing machine (abstract, figures 1-3, 5, elements 202, 208, 222, col. 3, lines 28-50) and to selectively generate a communication session identifier to uniquely identify the point-to-point communication session from one or more of a plurality of communication sessions supported by the accessing machine, and to enable a point-to-point communication protocol within the point-to-point communication session between the base station and the accessing machine (figure 2-3, 5, blocks 304, 306, 506, col. 3, lines 38-col. 4, lines 24).

However, Lin does not explicitly teach an enhanced point-to-point communication protocol and a communications agent.

Ho, in the related art, teaches an enhanced point-to-point communication protocol (paragraphs 0037,0075). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate an enhanced point-to-point communication protocol, as disclosed by Ho, into Lin system because it were conventionally employed in the art to provide added functionality that is preserve backward compatibility (see Ho paragraph 0037).

Lin does not explicitly teach a communications agent; however, Lin teaches the server generates the session identifier (col. 3, lines 40-50). It would have been obvious to one of ordinary skill in the art that Lin implicitly teaches a communication agent or

Art Unit: 2155

hardware/software function to generate the communication session identifier because it would allow server has a capability to generate session identifier. However, in order to support the teaching obviousness of a communication agent in Lin, Maggenti teaches a communication agent (figures 3, 6, elements 218, 600, paragraphs 0092-0095, 0114-0119). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin and Maggenti to include a communication agent because it would provide a security communication system between subscriber unit and server.

31. As to claim 21, Lin teaches the invention as claimed, wherein the medium is a storage device (figures 1-2). Lin implicitly teaches server has software components or functions to generate communication session identifier (col. 3, lines 40-40). It would be obvious to one of ordinary skill in the art that server has to have a memory device or storage in order to store that software components to generate communication session identifier.

32. As to claim 23, Lin teaches the invention as claimed, wherein the communications agent generates the session identifier upon determining that an incoming call request is for a new communication session and not a handoff of an existing communication session (abstract, figures 3, 6, col. 4, lines 35-61, col. 5, lines 17-67, col. 6, lines 26-38).

33. As to claim 24, Lin teaches the invention as claimed, wherein the communications agent dynamically generates a unique session identifier including a deterministic element and a random element (figure 2-3, 5, blocks 304, 306, 506, col. 3, lines 38-col. 4, lines 24). Lin does not explicitly teach a communications agent; however, Lin teaches the server generates the session identifier (col. 3, lines 40-50). It would have been obvious to one of ordinary skill in the art that Lin implicitly teaches a communication agent or hardware/software function to generate the communication session identifier because it would allow server has a capability to generate session identifier. However, in order to support the teaching obviousness of a communication agent in Lin, Maggenti teaches a communication agent (figures 3, 6, elements 218, 600, paragraphs 0092-0095, 0114-0119). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin, Ho and Maggenti to include a communication agent because it would provide a security communication system between subscriber unit and server.

34. Claims 14 and 15 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Lin, Ho and Maggenti**, further in view of **Igarashi et al.** (hereinafter Igarashi) U.S. Publication No. **2001/0053694**.

35. As to claim 14, Lin does not explicitly teach the communications agent; however, Lin teaches the server generates the session identifier (col. 3, lines 40-50). It would have been obvious to one of ordinary skill in the art that Lin implicitly teaches a

Art Unit: 2155

communication agent or hardware/software function to generate communication session identifier because it would allow server has a capability to generate session identifier.

However, in order to support the teaching obviousness of a communication agent in Lin, Maggenti teaches a communication agent (figures 3, 6, elements 218, 600, paragraphs 0092-0095, 0114-0119). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin and Maggenti to include a communication agent because it would provide a security communication system between subscriber unit and server.

However, Lin-Maggenti-Ho does not explicitly teaches wherein determining comprises: analyzing attribute-value pair(s) (AVP) of a received incoming call request control command to identify a callType AVP to determine whether an incoming call request indicates a new communication session or a handoff of an existing communication session.

Igarashi teaches wherein determining comprises: analyzing attribute-value pair(s) (AVP) of a received incoming call request control command to identify a callType AVP to determine whether the incoming call request indicates a new communication session or a handoff of an existing communication session (paragraph 0104, 0193-0199, 0290). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin, Maggenti, Ho and Igarashi to include the step of determining AVP of the received incoming call whether the request communication session is a new call or not because it would have an efficient communication system that allow to keep track, detect and authorize the call request.

36. As to claim 15, Lin does not explicitly teach wherein the communications agent selectively invokes communication session identification generator; however, Lin teaches the server generates the session identifier (col. 3, lines 40-50). It would have been obvious to one of ordinary skill in the art that Lin implicitly teaches a session identification generator invoked by a communication agent or hardware/software function to generate communication session identifier because it would allow server has a capability to generate session identifier. However, in order to support the teaching obviousness of a communication agent in Lin, Maggenti teaches a communication agent (figures 3, 6, elements 218, 600, paragraphs 0092-0095, 0114-0119). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin, Maggenti and Ho to include a communication agent because it would provide a security communication system between subscriber unit and server.

However, Lin-Maggenti-Ho does not explicitly teach if the AVP denotes a newCall call type, or if the callType AVP is not identified within the incoming call request control command.

Igarashi teaches if the AVP denotes a newCall call type, or if the callType AVP is not identified within the incoming call request control command (paragraph 0104, 0193-0199, 0290). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin, Maggenti, Ho and Igarashi to include the step of determining if the AVP denotes a newCall call type,

or if the callType AVP is not identified within the incoming call request control command because it would have an efficient communication system that allow to keep track, detect and authorize the call request.

37. Claims 19, and 22 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Lin, Ho and Maggenti**, further in view of **et al.** (hereinafter Igarashi) **U.S. Murphy, Jr.** U.S. Patent No. **6,006,266**.

38. As to claim 19, Lin-Ho-Maggenti does not explicitly teach the invention as claimed; however, Murphy, Jr. teaches wherein the session identification generator composes a session identifier for the communication session by computing a function of one or more of at least the deterministic element and/or the random element (col. 9, lines 22-col. 10, lines 64). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin, Ho, Maggenti and Murphy, Jr. to employed concatenates the deterministic element and the random element to generate the communication session identifier because it would provide secure communication system between subscriber unit and server.

39. As to claim 22, Lin-Ho-Maggenti does not explicitly teach a propagated signal; however, Murphy, Jr. teaches wherein the medium is a propagated signal (col. 17, lines 43-53). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin,

Art Unit: 2155

Ho, Maggenti and Murphy, Jr. to include the medium is a propagated signal because it would provide an efficient communication system for storing signals and controlling the operation of communication between subscriber unit and server.

Conclusion

40. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

41. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (571) 272-3989. The examiner can normally be reached Monday through Friday from 8:30 AM to 5:00 PM.

Art Unit: 2155

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne, can be reached at (571) 272-4001.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thu Ha Nguyen

June 9, 2005


SALEH NAJJAR
PRIMARY EXAMINER